

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

PATENT

Applicant: David Bartholomew et al. Docket No.: 47254.3100
Serial No.: 09/897,813 Examiner: Shirley Lu
Filed: July 1, 2001 Art Unit: 2612
Title: METHOD AND SYSTEM FOR A LOW COST WIRELESS TELEPHONE
LINK FOR A SET TOP BOX

**PETITION FOR REVIVAL OF AN UNINTENTIONALLY ABANDONED
APPLICATION PURSUANT TO 37 C.F.R. §1.137(b)**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Commissioner:

Applicant, by and through undersigned counsel, hereby petitions the Commissioner for revival of the above-captioned patent application, pursuant to 37 C.F.R. §1.137(b). The U.S. Patent and Trademark Office mailed a Final Office Action to Lloyd Sadler at the law office of McCarthy & Sadler, LC on July 13, 2006. Mr. Sadler had changed employment to Snell & Wilmer in 2004 and left the private practice of law in 2005. It is believed that McCarthy & Sadler never forwarded this Office Action to anyone. Our offices now handle this matter but had not received a copy of the Office Action. On January 19, 2007, Applicant first became aware of the Office Action when the Examiner called to inquire why a response had not been sent. Since becoming aware of the Office Action, Applicant has acted with diligence to review the Office Action and to reply to it appropriately.

In order to meet the requirement of a reply to the outstanding Office Action, Applicant has filed a continuation application with the U.S. Patent and Trademark Office. The

continuation application was filed on April 5, 2007 and was assigned Serial No. 11/697,123 and claims priority to the present application.

Petitioner's entire delay in responding to the Office Action, from the due date until the filing of this petition, pursuant to 37 C.F.R. 1.137(b)(3), was unintentional.

Should the Petitions Examiner wish to discuss any of the foregoing in greater detail, or deem that a telephone call would further advance this Petition, the undersigned would welcome a telephone call at the number listed below.

The Commissioner is hereby authorized to debit the petition fee in the amount of \$750.00 as set forth in 37 C.F.R. §1.17(m) to Snell & Wilmer's deposit account no. 19-2814. The Commissioner is hereby authorized to charge any deficiency in the fees required for the filing of this petition or credit any overpayment to deposit account no. 19-2814. **This statement does NOT authorize charge of the issue fee.**

Respectfully submitted,

By: 
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Reg. No. 47,863

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